

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: April 20, 2010
POSITION: Neutral

BILL NUMBER: AB 1824
AUTHOR: W. Monning

BILL SUMMARY: Hazardous Materials: Toxic Chemicals: Sewage Systems

Existing law prohibits the use of a non-biodegradable toxic chemical in a chemical toilet, recreational vehicle, or vessel waste facility and the sale of such a toxic chemical in a container indicating that the chemical could be used in a chemical toilet, recreational vehicle waste facility, or vessel waste facility.

This bill additionally would prohibit the sale and use of a chemical that is detrimental to a sewage disposal system in a chemical toilet, a recreational vehicle or vessel waste facility. The bill would define six chemicals as detrimental to a sewage disposal system and allow the Department of Toxic Substances Control (Toxics) to adopt regulations to identify additional chemicals as detrimental to a sewage disposal system and to limit or prohibit the use or sale of those identified chemicals.

FISCAL SUMMARY

Toxics staff estimates that the bill would have a minor and absorbable cost to Toxics to enforce an expanded list of chemicals that may or may not be used or sold for use in a chemical toilet or a vehicle or vessel waste facility. The bill would add six chemicals to the existing 19 chemical list, which also contains criteria for determining chemicals that are toxic and non-biodegradable. Because the six newly named chemicals would be folded into the existing complaint-based enforcement approach, Toxics anticipates absorbing the cost of the expanded enforcement authority.

Section 2 of this bill contains an appropriate "crimes and infractions" mandated-cost disclaimer, recognizing that no reimbursement is required by the state as the only costs that might be incurred by a local agency or school district would be because the bill's provisions create a new crime or infraction or change the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

COMMENTS

The Department of Finance is neutral on this bill.

This bill is intended to identify and restrict the use and sale of chemical toilet product ingredients that ultimately result in damage to sewage disposal systems when the chemical toilets are emptied. The bill's provisions are intended to clarify Toxics' statutory authority to develop and adopt regulations and enforce the requirements that restrict the use and sale of certain chemical toilet product ingredients.

The bill would clarify provisions originally adopted over thirty years ago to limit the use of non-biodegradable ingredients in chemical toilets. Some ingredients in chemical toilet additives, typically used to control odor and microbial growth, are non-selective biocides. These biocidal ingredients can interfere with the operation of certain sewage disposal systems by destroying the microbes in the system when the contents of the chemical toilets are disposed, resulting in incomplete treatment, clogs and potential releases of incompletely treated effluent.

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Analyst/Principal (0623) K. DaRosa	Date	Program Budget Manager Karen Finn	Date
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Department Deputy Director	Date
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Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

BILL ANALYSIS	Form DF-43 (Rev 03/95 Buff)
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COMMENTS Continued

Although such biocides can be harmful to many microbes that would biodegrade the chemicals in the sewage disposal system, it can be difficult to classify these chemicals as non-biodegradable outside of the disposal system. This bill would add a list of chemicals that are detrimental to a sewage disposal system to the use and sale prohibitions in this law. The provisions reflect the policy position that sewage disposal systems need to be protected from chemical toilet additives that may not be strictly classified as non-biodegradable, but that are, nonetheless, harmful to those systems.

		SO	(Fiscal Impact by Fiscal Year)						
Code/Department	LA	(Dollars in Thousands)							
Agency or Revenue	CO	PROP							Fund
Type	RV	98	FC	2009-2010	FC	2010-2011	FC	2011-2012	Code
3960/ToxicSubCtrl	SO	No		-----	No/Minor	Fiscal Impact	-----		0014
<u>Fund Code</u>	<u>Title</u>								
0014	Hazardous Waste Control Account								